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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,278	04/24/2000	Scott C. Harris	SCH/PAGE ENCRYPTION	8110
23844	7590	07/12/2004	EXAMINER	
SCOTT C HARRIS P O BOX 927649 SAN DIEGO, CA 92192			LIPMAN, JACOB	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 07/12/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/557,278

Applicant(s)

HARRIS, SCOTT C.

Examiner

Jacob Lipman

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 April 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Drawings***

1. The drawing corrections were received on May 10, 2004. These drawings are acceptable, but fail to fix item 3 of the prior office action. Figure 4 was objected to because a website is mentioned (bottom of page on left). The objection will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 9-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 9 recites the limitation "said machine readable numbers" in line 8. There is insufficient antecedent basis for this limitation in the claim.

5. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01.

6. Claim 14 recites "changing said encrypting in a way to prevent decryption by stitching together parts of information", but omits the steps or method necessary to do this.

### ***Response to Arguments***

7. Applicant's arguments filed May 10, 2004 have been fully considered but they are not persuasive.

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With regard to applicant's argument that Virga teaches images on paper are encrypted (pointing to step 100 in figure 10), the examiner disagrees. Virga discloses "other combinations are possible; indeed, the entire document could be hand written." (column 6 lines 15-22) It is clear that the "typical combination document" of figure 1 is a printed computer file, and thus Virga is disclosing a method of formatting a file to produce a bitmap.

With regard to applicant's argument that Virga does not use "the formatting information to format the text and produce an electronic file", the examiner points out that Virga converts the text containing information into a bitmap (column 6 lines 29-31), which is clearly an electronic file.

With regard to applicant's argument that Virga does not teach formatting text using formatting information, the examiner points out that Virga teaches formatting the scanned paper into a bitmap file (column 6 lines 32-44). Applicant argues that this is not a formatting system, but rather a scanning system. The examiner points to The American Heritage College Dictionary's computer science definition of the term formatting, "b. To determine the arrangement of (data) for storage or display." This is what Virga describes in column 6 lines 29-45.

With regard to applicant's argument that compression does not teach changing the length of information, the examiner disagrees, and again points to the definition of compression, which is to minimize the size to store or transmit data, thus changing the length of the data.

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With regard to applicant's argument that Virga does not teach varying length of chunks, the examiner points out that the lines in figure 1 of Virga vary in length.

With regard to applicant's argument that Virga does not teach an anti-stitching mechanism, the examiner points out that the claims don't specify any way of doing this other than changing the encrypting, which Virga teaches by adding a password, which is inherently changeable.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Virga, US Patent number 5,321,749.

With regard to claim 1, Virga discloses a method of encrypting, (column 1 lines 5-7), by obtaining text-containing information (column 6 lines 15-20) and font information (column 6 lines 18-20), formatting the information to form an electronic file (column 6 lines 29-45) and encrypting the information (column 6 lines 45-49).

With regard to claim 3, Virga discloses transmitting the encrypted information to a client (column 13 lines 7-12), and decrypting and displaying it (column 13 lines 12-16).

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With regard to claims 4 and 13, Virga discloses compressing the information before encrypting it (column 1 lines 1-3), wherein it determines the distance to a transition between colors and codes the distance (column 11 lines 3-37).

With regard to claims 5 and 14, as best understood, Virga discloses changing an encryption aspect by adding a password (column 3 lines 3-6), making it more difficult to decode the information.

With regard to claim 6, Virga discloses changing the length of the information by compression (column 11 lines 1-37).

With regard to claims 7, 9, 10, and 15, as best understood, Virga discloses lines are encrypted in chunks (column 11 lines 61-65), and decrypted and displayed one at a time (column 12 lines 3-6).

With regard to claims 8 and 11, as best understood, a chunk can be considered one line, two lines, three lines and so on, and thus is variable in length.

With regard to claim 12, as best understood, Virga discloses decryption can be executed on a portable computer (column 6 lines 44-51 and column 12 lines 61-68).

### ***Conclusion***


8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Lipman whose telephone number is 703-305-0716. The examiner can normally be reached on 7:00 - 4:00 (M-Th).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 703-308-4789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

  
GREGORY MORSE  
SUPERVISOR OF EXAMINER  
TECHNICAL CENTER 200

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JL